

**SELECT BOARD MEETING**  
Monday, February 22 – 6:30 p.m.  
Town Room, Town Hall

**DRAFT**

**MINUTES**

**Call to order:**

Meeting was called to order by Ms. O'Keeffe at 6:30 p.m.

**Attendance:**

Present: Stephanie O'Keeffe (Chair), Alisa Brewer, Aaron Hayden (Clerk pro-tem), Diana Stein, Gerry Weiss, John Musante (Asst. Town Manager)

Others presenting: Vincent O'Connor, John Coull, Elly Tuti, David Abrami, Meg Gage, Emlen Jones, David Ziomek, Jim Brassord, Tom Davies

**Public comment:**

Vincent O'Connor (179 Summer St) wanted the Select Board to look into the Building Commissioners ruling that bicycles are flammable material and so can't be stored under stairs. In rental complexes bikes are important for residents and adding bike racks is difficult because of the ruling. Also he recommended that the by-laws be changed so the Building Commissioner has no more jurisdiction over bikes,

Stephanie O'Keeffe suggested the PTBC to look into it and make recommendations.

**Select Board's actions**

**Applications for new taxi licenses:**

Diana Stein moved to approve the new Taxi Business License Safari Transit 160 Old Farm road Suite C Amherst, Ma. manager; Elly Tuti. Aaron Hayden seconded and the motion carried unanimously.

Diana Stein moved to approve the new Taxi Driver Chauffer License for Elly Tuti 160 Old Farm road Suite C Amherst MA 01007. Aaron Hayden seconded and the motion carried unanimously.

Diana Stein moved to approve a special All Liquor License – University of Massachusetts for March 25, 2010 from 5:00 – 10:00 PM at the WEB Du Bois Library for Dinner. Aaron Hayden seconded and the motion carried unanimously.

Diana Stein moved to approve a special All Liquor License – University of Massachusetts for April 10, 2010 from 5:00 – 10:00 PM at the WEB Du Bois Library for Dinner. Aaron Hayden seconded and the motion carried unanimously.

Diana Stein moved to approve a one day wine and Malt Liquor license – Hitchcock Center for the Environment for April 2 2010 from 5:00 – 9:00 PM at the Lewis Sebring Commons, Valentine hall, Amherst College for a fundraiser. Aaron Hayden seconded and the motion carried unanimously.

#### **Approve Conservation Restriction**

David Ziomek presented material on the final step to acquiring conservation land on South East Street get wording here pursuant to DS GW 2<sup>nd</sup> U

**Decision:** Diana Stein moved to accept a Conservation Restriction pursuant to Section 31,42, and 33 of Chapter 184 of the General Laws, acting by authority of MGL Ch. 40, section 8C assigning the Town in perpetuity and exclusively for conservation purposes, a Conservation Restriction (“CR”) on a parcel of land located at 99 Station Road in Amherst, Massachusetts, constituting approximately 12.56 acres of a 16.80 acre parcel as described in a memo from the Conservation Department dated Feb 18<sup>th</sup> 2010. Gerry Weiss seconded and the motion carried unanimously.

**Puffers Pond 2020 Committee** - Meg Gage, Emlen Jones, and David Ziomek presented the committee’s interim report with draft recommendations for the Conservation Commission. The recommendations balance use with conservation and include a number of ideas regarding State Street (which the Select Board may have to act on in the future).

**Lord Jeffrey Inn Parking Plans** (Aaron Hayden recused himself from this decision) Jim Brassord and Tom Davies presented a permanent parking request for the streets near the Lord Jeffery Inn and a temporary request for the construction.

#### **Decision**

Alisa Brewer moved to accept the permanent request. Diana Stein seconded and the motion was approved unanimously.

Alisa Brewer moved to accept the temporary request. Diana Stein seconded and the motion was approved unanimously.

#### **Consider by-law penalty increases – open container, noise, keg licensing**

This is the first opportunity for public comment on this by-law change as it makes its way to Town Meeting.

Stephanie O’Keeffe notes that this hearing is a very important next step in getting public input on the by-law. The contacts the Select Board developed last year by meeting with student leaders at UMass were used to let students know of the change, notice of the proposed change was spread far and wide.

Gerry Weiss wondered whether there were any students on CCC (Yes) and if they voted for the proposal (yes – in the full committee there was only one vote against it which was not from a student)

Aaron Hayden mentioned the enforcement of the by-law was part of a larger effort that works to solve the problem of inappropriate drinking and behavior by other means then simply imposing fines.

Gerry Weiss noted that the police have some discretion in enforcing these rules and the they by-laws were really designed to help curtail the problem.

Stephanie O'Keeffe would like more information by Town Meeting

John Coull (Town Meeting) wanted "ZooMass" not effect Zoo-Amherst. He was founding member of CCC and aware of depth of work – and coalition is a critical part. He explained that the CCC works on the "environmental issues": what does environment say about drinking behavior through advertisements, promotion of tail gate parties, where can you buy liquor. This measure contributes to a more positive environment.

David Abrami appreciated the note to Graduate Student Association it is how he received word of by-law change. He felt the by-law was intended to target college students. And since we don't understand how these by-laws work increasing fines is irrelevant. He felt the CCC had a most righteous of contention (and he noted the road to Hell paved with good intentions). The noise by-law was to prevent student parties and an anti-student party by-law should have been passed instead. He didn't blame the CCC but felt we were all duped. He noted that students weren't getting warnings or even a ticket under this by-law but were being handcuffed, booked and put in a holding cell. He felt there was some misinformation on the webpage about its enforcement and authority.

Stephanie O'Keeffe wanted to carry forward a fulsome discussion and suggested we leave the recommendation of \$300 on the warrant since it can be revised downward by Town Meeting.

Diana Stein was interested in seeing the statistics.

Alisa Brewer suggested writing questions out to get nuances in the information we are looking for – the raw figures on the website are hard to interpret especially on ticketing vs. arresting.

Gerry Weiss request that the next discussion include someone from APD to explain how the police decide on imposing a fine or to arrest.

**Decision:**

Aaron Hayden moved to move by-law changes ahead and accept the language as outlined in the Campus and Community Coalition memo of February 12<sup>th</sup>. Diana Stein seconded and the motion was accepted unanimously.

Stephanie O'Keeffe wanted our questions on the article by end of March.

**Town Manager's report**

John Musante presented a list of grants available from USDA for economic development and open space.

He gave an update on the electricity for sewer rates swap with UMass -- their plant is not generating sufficient or reliable enough power. Next they are working on buying or swapping steam. (These are examples of how we are working on every possible idea to reduce the cost to run the Town.)

The Amherst League of Women Voters will be presenting a forum on the impact of the budgets at the Jones Library in the Large Meeting Room Wednesday at 11:30. The presentation includes a lot of data including a number of interviews. (LWVAmherst.org)

Stan Rosenberg and members of the Senates Ways and Means Committee are having a budget forum on 3/27 Saturday morning.

### **Minutes**

Feb 1

Gerry Weiss moved to accept the minutes form February 1<sup>st</sup> as presented, Aaron Hayden seconded and the motion was approved with 4 ayes and 1 abstention (Brewer)

Feb 8

Gerry Weiss moved to accept the minutes form February 8<sup>th</sup> as corrected, Dian Stein seconded and the motion was approved with 4 ayes and 1 abstention (Brewer)

Feb 12

Gerry Weiss moved to accept the minutes form February 12<sup>th</sup> as corrected, Dian Stein seconded and the motion was approved with 4 ayes and 1 abstention (Brewer)

### **Town Meeting calendar**

Now that we have cancelled 2 Town Meeting dates in May we could need to add Thursday May 20.

Alisa Brewer suggested we keep the Monday-Wednesday pattern and not add the Thursday.

Gerry Weiss concurred.

There will be no town meetings on May 19<sup>th</sup>, May 31<sup>st</sup> or June 2<sup>nd</sup>.

### **Committee appointments**

Diana Stein moved to extend the charge of the 250<sup>th</sup> Celebration Committee until June 30<sup>th</sup> 2010. Aaron Hayden seconded and the motion carried unanimously.

Diana Stein moved to reappoint 250<sup>th</sup> Celebration committee for a term to expire June 30 2010. Gerry Weiss seconded and the motion carried unanimously

### **Chair's report** –

Stephanie O'Keeffe moved to approve annual Select Board report as presented. Alisa Brewer seconded and the motion carried unanimously.

Stephanie O'Keeffe was invited and will attend a leadership conference at UMass on February 27<sup>th</sup>.

#### **Liaison and representative reports**

Dian Stein announced there would be a Farmer's Breakfast sponsored by the Agricultural Committee and anyone interested in farming is invited.

Gerry Weiss reported that the Committee on Homelessness' warming shelter is going strong high and had 22 people there on night. There are 32 different people all together who have used the services. The Committee is reviewing what worked well this winter and are working to get a shelter that the homeless can spend the night in. They would like other churches to get involved. Mr. Weiss invited us to visit and see what a great operation it is. It has been a great community endeavor.

Stephanie O'Keeffe noted that the CCC honored many of its partners who represented the spectrum of people and issues working on the problem of student drinking.

Complete Count Committee is meeting again tomorrow. There has been a tremendous amount of information sharing. It is very important to get the census count right since it represents so many dollars.

Budget Coordinating Group is meeting Wednesday February 24<sup>th</sup> at 11:30 in the Town Room.

Joint Capital Planning Committee is meeting this Friday at 8:30

Diana Stein noted that elected committees don't have charges – if citizen would like to see ARA charge for instance there is no charge on line. There should be a policy about elected committees' statements on-line. For example the Housing Authority has many pages, and she wondered what others don't have a public face.

Aaron Hayden noted that every committee is in fact listed on-line; some more easily accessed than others - even the ARA. All the committees, whether elected or appointed have a list of members, their terms and who their appointing body is; Town Meeting, Electorate, Select Board, etc. The website could be more consistent but it is all there (including many pages for the ARA)

Diana Stein noted that there is no Town flag and would like to remedy that. The problem is not worthy of committee but also that it shouldn't simply be chosen by the Select Board. She would like to set up a contest to send ideas and we could select from them.

Alisa Brewer was curious on the details of contest.

Gerry Weiss wanted to know when we would vote on then what?

Diana Stein agreed to flesh out plans for collecting the ideas

Aaron Hayden, as part of figuring out how to coordinating the committees and board getting minutes on the website effectively, spoke with Kris Pacunas about website access. Mr. Pacunas is working on a simplified system that allows someone appointed by a committee and given the password to log on to the committee's web pages and put the minutes there.

Alisa Brewer is working on getting the answer to what happens to the physical minutes for next time.

#### Next meetings

March 1; Atkins Retail Liquor License Hearing, Police, plans for Spring Party Season, DPW updates, BCG update, personal board recommendation, and consolidation of committees

March 15 Gerry Weiss' last meeting will be preceded at 5:30 reception to celebrate his service.

Apr 6<sup>th</sup>, Town Meeting preparations

5/3 Town meeting starts

#### ADJOURNMENT

Motion to adjourn 9:13 PM

Comments and corrections are encouraged:

Respectfully submitted;

*Aaron Hayden*